

REMARKS

This communication is a full and timely response to the Office Action dated July 13, 2009. Claims 1-6 and 8-11 remain pending. By this communication, claim 7 is canceled without prejudice or disclaimer to the underlying subject matter, and claims 1, 8, 10, and 11 are amended.

Rejections Under 35 U.S.C. §112

In numbered paragraph 3, claims 10 and 11 are rejected under 35 U.S.C. §112, first paragraph, for allegedly failing to comply with the enablement requirement, and in numbered paragraph 4, claims 10 and 11 are rejected under 35 U.S.C. §112, first paragraph, for allegedly failing to comply with the written description requirement. Applicants respectfully traverse these rejections. However, in an effort to expedite prosecution these claims are amended in a manner that renders the aforementioned rejections moot.

Rejections Under 35 U.S.C. §103

Claims 1, 2, and 4-9 are rejected under 35 U.S.C. §103(a) for alleged unpatentability over Applicants' admitted prior art *Oki et al* (JP 2002209193A) in view of *Bishop et al* (U.S. Patent No. 4,910,683). Further, claim 3 is rejected under 35 U.S.C. §103(a) as being unpatentable over *Oki* in view of *Bishop*, and further in view of *Potrebic et al* (U.S. Patent No. 6,804,824). Applicants respectfully traverse these rejections.

As shown in Figures 1-7, exemplary embodiments are directed to a video information and display system in which a video information distribution device 70 inputs train information for train operation, and distributes and outputs compressed

digital static image video information and an image control signal, using train information devices (61-64) and a digital transmission line 25. The video information distribution device 70 includes plural components, such as, a schedule management part that generates a display command for content switching based on schedule data received from a radio transmission/receiving device 50.

Independent claim 1 broadly encompasses the foregoing features, by reciting, among other features, a video information distribution device that comprises a schedule management section generating the image control signal on the basis of schedule data in which a display order and a display time of the plural video information are specified.

Contrary to the position taken in the Office Action, however, the combination of *Oki* and *Bishop* fails to disclose or suggest the features recited in claim 1.

Oki discloses a system that distributes and displays video information. The PTO acknowledges that this reference fails to disclose the aforementioned feature, and relies on *Bishop* in an effort to remedy this deficiency. *See Office Action (July 13, 2009)*, pg. 7.

Bishop discloses a system that displays video images using a fractional double buffering technique. As a result, a graphics CPU renders (writes) an object to be displayed in a display buffer that is not currently being displayed, while an object stored in another buffer is provided to a display. *See Bishop*, col. 5, lines 6-21. During operation, one display buffer is updated with new object data while the other display buffer is read by the display circuitry and its object displayed on the display. Particularly, a multiplexer alternately selects the display buffers, and presents the

data to the display based on a control signal issued by the CPU. Id., col. 5, lines 22-29.

The PTO alleges that through the alternate selection of the display buffers, *Bishop* discloses Applicants' claimed schedule management section. However, *Bishop* does not contemplate a feature in which the display 30 reads the data stored in either of the display buffers A and B. Rather, *Bishop* discloses the following:

Once the image of cube 45 has been rendered and written into the display buffer memory A as described below, graphics CPU 20 issues appropriate control signals to the multiplexer 50 such that the data now stored within the display buffer A is read by the display 30 and the cube is displayed, as shown in FIG. 1. Id., col. 5, lines 50-56.

Therefore, one of ordinary skill would understand that according to *Bishop* the only constraint placed on the display of image data stored in the memory is the length of time taken to render and write the image to memory. There is no evidence to support the PTO's position that the control signal is generated based on schedule data.

Claim 9 depends from claim 1, and additionally recites the following a display time of each segment of the video information is a time longer than a time for the segment to be stored to one of the storage areas by returning the segment to a state before the processed digital static image video information is processed in the video information receiving and display device. This feature is related to schedule data management in which the scheduled time to switch buffers is longer than the time required for extracting and storing the static image. *See Applicants' disclosure, pgph [0030].*

On page 8 of the Office Action, the PTO concedes that *Oki* fails to disclose the features of claim 9, and relies on *Bishop* in an effort to remedy this deficiency.

As noted above, however, neither *Oki* nor *Bishop* discloses a technique in which read access between two buffers is performed based on a control signal generated according to a schedule. *Bishop* discusses that a significant time lapse exists between the display of objects rendered in the display buffer A and the display of updated object written into display buffer B. *See Bishop*, pgph bridging columns 5 and 6. However, this discussion is related to image data that is already rendered and stored in each of the buffers. Whereas, the features of claim 9 are directed the relationship between the scheduled time to switch buffers and the time taken to store images in either of the buffers. As such, *Bishop* does not disclose subject matter that is related to Applicants' claimed features.

In summary, *Oki* and *Bishop* when applied individually or collectively fail to disclose or suggest every feature and/or the combination of features recited in Applicants' claims. Moreover, while not acquiescing to the alleged teachings of this reference, Applicants' respectfully submit that *Potrebic* does not remedy the deficiencies of *Oki* and *Bishop* with respect to at least claims 1 and 9 discussed above. As a result, a *prima facie* case of obviousness is not established as alleged.

The courts have held that the Office has the initial burden of establishing a **factual basis** to support the legal conclusion of obviousness. *In re Oetiker*, 977 F.2d 1443, 1445, 24 USPQ2d 1443, 1444 (Fed. Cir. 1992). For rejections under 35 U.S.C. § 103(a) based upon a combination of prior art elements, in *KSR Int'l v. Teleflex Inc.*, 127 S.Ct. 1727, 1741, 82 USPQ2d 1385, 1396 (2007), the Supreme Court stated that "a patent composed of several elements is not proved obvious merely by demonstrating that each of its elements was, independently, known in the prior art." "Rejections on obviousness grounds cannot be sustained by mere

conclusory statements; instead, there must be some **articulated reasoning with some rational underpinning** to support the legal conclusion of obviousness." In re Kahn, 441 F.3d 977, 988, 78 USPQ2d 1329, 1336 (Fed. Cir. 2006) (emphasis added). For at least the foregoing reasons, withdrawal of all rejections under 35 U.S.C. §103 is respectfully requested.

Conclusion

Based on the foregoing amendments and remarks, Applicants respectfully submit that claims 1-6 and 8-11 are allowable and this application is in condition for allowance. In the event any issues adverse to allowance remain, the PTO is encouraged to contact Applicants' representative identified below.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: September 21, 2009 By: /Shawn B. Cage/
Shawn B. Cage
Registration No. 51522

P.O. Box 1404
Alexandria, VA 22313-1404
703 836 6620